

CHAPTER 392

H.B. No. 678

AN ACT

relating to membership and service credit in the Employees Retirement System of Texas for certain temporary employees.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 22.004, Title 110B, Revised Statutes, is amended to read as follows:

Sec. 22.004. TEMPORARY EMPLOYEES OVER 65. (a) A person who is at least 65 years old, who is not a member of the retirement system, and who is hired as a temporary employee ~~is [may]~~ not *required* to become a member of the retirement system during the first six months of employment.

(b) A person described by Subsection (a) of this section becomes a member of the retirement system on the first day of the seventh calendar month in which the person is employed, *unless the person has previously elected to become a member as provided by Subsection (c) of this section.*

(c) *A person described by Subsection (a) of this section may make an election to become a member by having an application for membership filed with the retirement system not later than the 30th day after the person's first day of employment. The person must submit the application, on a form prescribed by the retirement system, to the disbursing officer of the department or agency by which the person is employed. The disbursing officer shall transmit the application to the retirement system.* ~~[Contributions based on service as a temporary employee who is at least 65 years old may not be paid to the retirement system until the employee is a member of the system and elects to establish credit as provided by Section 23.202 of this subtitle.]~~

(d) *If a person elects to become a member as provided by Subsection (c) of this section, the person's membership is considered to have begun on the first day of employment, and contributions are due for the first month of employment and are payable for each subsequent month of employment. The retirement system shall grant service credit as required by Section 23.201 of this subtitle.*

(e) *A person described by Subsection (a) of this section who does not elect to become a member as provided by Subsection (c) of this section may not establish credit in the retirement system for service performed during the first six months of employment.*

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 4, 1987, by a non-record vote. Passed by the Senate on May 28, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Sept. 1, 1987.